

# Wetlands Bureau Decision Report

*Revised*  
*3/11/14*

Decisions Taken  
03/10/2014 to 03/16/2014

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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### 2013-00363 SANDOWN, TOWN OF SANDOWN Exeter River

#### Requested Action:

Replace an existing culvert beneath Wells Village Road.

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#### DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Replace an existing culvert beneath Wells Village Road.

#### With Findings:

1. A request for additional information dated April 16, 2013, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a) (2), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

### 2013-02874 NH DEPT OF ENVIRONMENTAL SERVICES EPSOM Suncook River

#### Requested Action:

Proposal to dredge and fill 85,330 sq. ft. (3,980 linear ft.) of Suncook River bed and banks (includes 8,240 sq. ft. of temporary impact) and 41,330 sq. ft. of associated forested, scrub-shrub and emergent wetland impacts (includes 39,000 sq. ft. of temporary impacts) and 31,780 sq. ft. (2,390 linear ft.) of Leighton Brook bed and banks (includes 12,220 sq. ft. of temporary impacts) for the implementation of stabilization and ecological restoration measures to address impacts created by the 2006 flood event and subsequent river channel avulsion.

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#### Conservation Commission/Staff Comments:

1. There were no comments received from the Epsom Conservation Commission.

#### APPROVE PERMIT:

Dredge and fill 85,330 sq. ft. (3,980 linear ft.) of Suncook River bed and banks (includes 8,240 sq. ft. of temporary impact) and 41,330 sq. ft. of associated forested, scrub-shrub and emergent wetland impacts (includes 39,000 sq. ft. of temporary impacts) and 31,780 sq. ft. (2,390 linear ft.) of Leighton Brook bed and banks (includes 12,220 sq. ft. of temporary impacts) for the implementation of stabilization and ecological restoration measures to address impacts created by the 2006 flood event and subsequent river channel avulsion.

#### With Conditions:

1. All work shall be in accordance with plans by Inter-Fluve, Inc., Suncook River Mitigation plan sheets 1 through 10 of 20 and 13 through 20 of 20 dated May 29, 2013, sheets 11 and 12 of 20 dated March 29, 2013, Leighton Brook Mitigation plan sheets dated May 29, 2013 and Proposed Impact Area plans sheets 1 through 3 of 3, dated April 25, 2013, as received by DES on October 18, 2013 and as revised by Suncook River Mitigation plans sheets 1 through 21 of 21 with revision date of February 3, 2014 and February 18, 2014, as revised by Leighton Brook Mitigation plan sheets 1 through 12 of 12 with revision date of February 10, 2014 and as revised by Proposed Impact Area plans sheets 1 through 3 of 3 with final revision date of February 18, 2014, as received by DES on February 20, 2014.
2. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the

Protected Shoreland.

3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. The applicant shall complete the survey and monitoring recommendation for brook floater mussels as discussed in the December 2013 report by Biodiversity LLC and by New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program (e-mail correspondence dated January 27, 2014).
5. The applicant shall contact the New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program to address identification and relocation of any wood turtles encountered during construction.
6. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
7. At least 72 hours prior to the start of construction, a pre-construction meeting shall be held with DES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. A qualified professional(s) shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after each of the next two full growing seasons.
9. The river bank plantings and wetland restoration areas shall have at least 75% successful establishment after two (2) full growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
12. Work shall be done during low flow.
13. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
14. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
15. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
16. Temporary cofferdams shall be entirely removed immediately following construction.
17. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
18. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
19. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
21. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
22. Silt fencing must be removed once the area is stabilized.
23. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
24. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
25. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
26. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks and Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant indicates that the proposed project is to protect transportation infrastructure located on the Suncook River and Leighton Brook and to protect wetland resources threatened by vertical and lateral channel erosion.
4. The stability and erosion issues are a result of a large flood in 2006 that created a channel avulsion between Huckins Mill Dam and the Route 4 Bridge.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant/agent investigated six potential alternatives: 1) No action; 2) Alternative bank stabilization approaches consisting of grading the river banks and placing stone along the channel primarily above the low water elevation, rock trenching in the river bed for riprap treatments or widening the river; 3) Replacing the Route 4 Bridge; 4) Constructing a valley spanning grade control riffle; 5) Placing a rock buttress downstream of the two bridges; 6) The preferred and chosen method, Stabilizing the bed and banks of the Suncook River and Leighton Brook.
7. The other alternatives were not selected for a variety of reasons such as: the potential for continued erosion and potential damage to infrastructure and property; difficulty of construction; cost prohibitive; loss of existing land for construction; cost of a new bridge that was estimated at \$8.6 to \$12.9 million dollars; amount and cost of materials (stone); and concerns with the creation of steep river bed that could cause challenges for aquatic organism passage (see file for application Attachments B and I for the complete analysis).
8. The chosen alternative consists of: 1) The placement of stone within a portion of the Suncook River channel downstream of the Route 4 Bridge to provided vertical stability and reduce incision at that location; 2) The installation of stone and fabric lifts along the Suncook River banks between the Route 4 Bridge and vertical grade control to provide lateral stability and reduce the risk of loss of agriculture land, utilities, roads and buildings; 3) The installation of sheet pile adjacent to the grade control riffle and across the floodplain to provide some protection in the event that the Suncook River changes course and moves away from its existing alignment; 4) The placement of stone and fabric lifts along the left bank of the Suncook River just above the upstream avulsion site to prevent the channel from eroding around an existing grade-control riffle and causing continued incision that could migrate upstream to the Route 4 Bridge, up the Little Suncook River and cause erosion that could result in loss of agriculture land; and 5) The placement of stone along the bed and banks of Leighton Brook between Black Hall Road and the Suncook River to provide both vertical and lateral stability.
9. Additionally, all fabric lifts will be seeded with a native seed mix and the work within Leighton Brook includes a cobble and boulder bank and channel design and placement of large woody material.
10. The project also includes temporary wetland and upland impacts for access and staging. The temporary impact areas will be restored and replanted as part of the project.
11. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
12. The applicant is not require to provide compensatory mitigation in accordance with Administrative Rule Env-Wt 302.02(c)(2)and (d).
13. The NH Fish and Game Department, Nongame and Endangered Wildlife Program ("NHFGD") provided comments and recommendations.
14. The applicant has agreed to address the NHFGD comments and recommendations.
15. The department has not received any comments from the United States Environmental Protection Agency ("EPA") or the United States Army Corps of Engineers ("ACOE").
16. The New Hampshire Geological Survey has agreed to monitor the completed project.
17. The applicant has conducted public informational meetings regarding the proposed project.
18. The applicant has received signed permission letters from all landowners within the project area.
19. The department has not received any landowner, abutter or public comments objecting to the proposed project.

**2014-00329 LANDRY, SCOTT/TRACY**  
**GOFFSTOWN Piscataquog River**

**Requested Action:**

Retain a 16 ft. x 14.5 ft. concrete patio, a 16 ft. x 11.5 ft. set of concrete stairs, a 16 ft. x 16 ft. deck with a permanent roof located in the bank, a 16 ft. x 12 ft. deck located in the bank and river, and a 4 ft. x 20 ft. seasonal wharf accessed by a 10 ft. x 4 ft. seasonal walkway on an average of 253 linear ft. of shoreline frontage along the Piscataquog River in Goffstown.

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**Conservation Commission/Staff Comments:**

Also see Enforcement/Shoreland file 2013-01432

2/28/2014. Per DHR, no historic properties affected.

**DENY AFTER THE FACT:**

Retain a 16 ft. x 14.5 ft. concrete patio, a 16 ft. x 11.5 ft. set of concrete stairs, a 16 ft. x 16 ft. deck with a permanent roof located in the bank, a 16 ft. x 12 ft. deck located in the bank and river, and a 4 ft. x 20 ft. seasonal wharf accessed by a 10 ft. x 4 ft. seasonal walkway on an average of 253 linear ft. of shoreline frontage along the Piscataquog River in Goffstown.

**With Findings:**

1. Pursuant to Rule Env-Wt 302.05, After-the-Fact Application, applications received after work is completed shall be subjected to the same review as any other application. Consideration of an after-the-fact application shall not preclude or limit the department's exercise of any enforcement powers it possesses.
2. Pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (a), (1), for any minor project, the applicant shall demonstrate the need for the proposed impact to areas and environments under the department's jurisdiction by plan and example.
3. Pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (a), (2), for any minor project, the applicant shall demonstrate by plan and example the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
4. Pursuant to Rule Env-Wt 302.04, Requirements for Application Evaluation, (e), (2), the department shall not grant a permit if the requirements of Env-Wt 302.04, (a) are not met.
5. Pursuant to Rule Env-Wt 402.09, Structures Disallowed, (c), structures over the waters shall not be allowed for the transfer of any activities usually associated with land, including but not limited to sunbathing and picnicking.
6. Pursuant to Rule Env-Wt 404.01, Least Intrusive Method, shoreline stabilization shall be by the least intrusive but practical method.
7. Pursuant to Rule Env-Wt 404.05 Walls, (a), (1), walls in nontidal waters shall be permitted only where lack of space or other limitations of the site make alternative stabilization methods impractical, (3) Walls on great ponds or water bodies where the state holds fee simple ownership shall be located on the shoreward side of the normal high-water shoreline; (4) Applications for walls adjacent to great ponds or water bodies where the state holds fee simple ownership shall include a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project.
8. Pursuant to Rule Env-Wt 404.05 Walls, (a), (2), applications for walls shall include cross-section and plan views of the proposed installation and sufficient plans to clearly indicate the relationship of the project to fixed points of reference, abutting properties, and features of the natural shoreline;
9. In accordance with 483-B:3, Consistency Required, I, all state agencies shall perform their responsibilities in a manner consistent with the intent of the Shoreland Protection Act. State and local permits for work within the protected shorelands shall be issued only when consistent with the policies of this chapter.
10. In accordance with RSA 483-B:3, Consistency Required, II, when the standards and practices established in this chapter conflict with other local or state laws and rules, the more stringent standard shall control.
11. In accordance with RSA 483-B:4, Definitions, II, "Accessory structure" means a structure, as defined in paragraph XXII of this section, on the same lot and customarily incidental and subordinate to the primary structure, as defined in paragraph XIV of this section; or a use, including but not limited to paths, driveways, patios, any other improved surface, pump houses, gazebos, woodsheds, garages, or other outbuildings.
12. In accordance with RSA 483-B:4, Definitions, XXII. "Structure" means anything constructed or erected for the support, shelter or enclosure of persons, animals, goods, or property of any kind, with a fixed permanent location on or in the ground, exclusive of

fences.

13. In accordance with RSA 483-B:4, Definitions, XIV. "Primary structure" means a structure as defined in paragraph XXII of this section that is central to the fundamental use of the property and is not accessory to the use of another structure on the same premises.

14. Pursuant to Rule Env-Wq 1405.03, Limitations on Accessory Structures within the Waterfront Buffer, (c), (1), accessory structures located between the reference line and the primary building line shall be no larger than 1.5 square feet per linear foot of shoreline;

15. Pursuant to Rule Env-Wq 1405.03, Limitations on Accessory Structures within the Waterfront Buffer, (d) The construction of the accessory structure shall not violate the point score requirement of RSA 483-B:9, V(a)(2).

16. Pursuant to Rule Env-Wq 1405.04, Setback for Accessory Structures, all accessory structures built after November 26, 1996 shall be set back at least 20 feet from the reference line, unless otherwise approved by the department in accordance with RSA 482-A and rules adopted pursuant thereto.

#### Findings of Fact

1. On June 5, 2013, the Department notified the Owner of the property identified as Lot 83 on Goffstown Tax Map 21, (the Property) that the Department had received a complaint pertaining to the construction of structures in and adjacent to the Piscataquog River in Goffstown.

2. The Piscataquog River is protected under RSA 483-B and therefore any approval issued for excavation, fill, or the construction of structures on portion of the property located within 250 of the ordinary high water line of the river must also comply with the requirements of RSA 483-B and Chapter Env-Wt 1400.

3. On February 3, 2014 the Department received an application, filed on behalf of the Owner, requesting to retain a 16 ft. x 16 ft. deck with a permanent roof (the "covered deck") located in the bank, a 16 ft. x 12 ft. deck located in the bank and river, and a 4 ft. x 20 ft. seasonal wharf accessed by a 10 ft. x 4 ft. seasonal walkway which were constructed on the frontage without permits.

4. Plans submitted with the application indicate that a 16 ft. x 14.5 ft. concrete patio, a 16 ft. x 11.5 ft. set of concrete stairs, and a 10 ft. wide concrete boat launch currently existing on the frontage are "Grandfathered Impacts."

5. The application materials state that the concrete patio, stairs, dock and rip-rap previous existed on the property and that there had been a need to stabilize the shoreline.

6. The application materials indicate that a primary reason for the construction and expansion of structures was to provide more level recreational space along the waterfront.

7. Aerial photography completed in 2005 shows that in 2005 only the boat ramp and a single seasonal pier existed in the frontage. The area now occupied by the 16 ft. x 14.5 ft. concrete patio and 16 ft. x 11.5 ft. set of concrete stairs was vegetated. The concrete boat launch did not appear to extend as far into the Piscataquog River as it does currently.

8. The deed to the property, submitted concurrently with Shoreland Permit application 2013-1432, shows that the Owner purchased the property in October 2005.

9. The information available to the Department shows that the concrete patio and stairs are not "grandfathered" and were constructed after the Owner took possession of the property.

10. The Owner has provided no evidence that the concrete patio and stairs were present on the frontage at the time the property was purchased in 2005 to rebut the Department's evidence, in the form of aerial photos, that the structures were not present prior to the Owner's purchase of the property.

11. The Owner has provided no evidence of erosion or instability along this portion of the shoreline that would have justified the construction of the concrete structures to stabilize the shoreline.

12. The concrete patio, stairs, and 16 ft. x 12 ft. deck protrude into the river and are used for activities usually associate with land.

13. The concrete patio, stairs, 16 ft. x 12 ft. deck, and 16 ft. x 16 ft. covered deck are all accessory structures as defined in RSA 483-B:4, II.

14. The concrete patio, stairs, 16 ft. x 12 ft. deck, and 16 ft. x 16 ft. covered deck are all located within 20 ft. of the ordinary high waterline and fail to meet Rule Env-Wq 1405.04.

15. The total area of the waterfront buffer occupied by the concrete patio, stairs, 16 ft. x 12 ft. deck, and 16 ft. x 16 ft. covered deck exceeds that allowed under Rule Env-Wq 1405.03, (c), (1).

16. The construction of the concrete patio and stairs is not the least impacting method of stabilizing the shoreline.

17. An extension of the boat launch may have been approvable but this issue has not been addressed in this application.

18. This project is classified as a major impact project in accordance with Rule Env-Wt 303.02, (n), fill in public waters for the

purposes of making land

#### Rulings in Support of the Decision

1. None of the structures currently existing on the frontage are compliant with RSA 482-A and RSA 483-B.
2. The Owner has failed to provide evidence that there was a need to stabilize the shoreline along this frontage that warranted the construction of the concrete patio and stairs. Therefore the construction of these structures would not have been approved.
3. The construction of the concrete patio, stairs, and 16 ft. x 12 ft. deck to provide recreation and sitting areas on the waterfront is prohibited by Rule Env-Wt 402.09, (c). Therefore the construction of these structures would not have been approved.
4. The concrete patio, stairs, 16 ft. x 12 ft. deck, and 16 ft. x 16 ft. covered deck fail to comply with Rule Env-Wq 1405.03, (c), (1), limiting the size of accessory structures, and Rule Env-Wq 1405.04, establishing a setback for accessory structures. Therefore, the granting of a permit for the construction of these structures would have been prohibited by RSA 483-B:3, Consistency Required, I and II.
5. The Owner has failed to provide evidence that the construction of the accessory structures did not violate the point score requirement of RSA 483-B:9, V(a)(2), as required pursuant to Rule Env-Wq 1405.03, (d). Therefore, the granting of a permit for the construction of these structures would have been prohibited by RSA 483-B:3, Consistency Required, I and II.
6. The Owner has failed to demonstrate by plan and example that the impacts associated with the construction of these structures were necessary and were the least impacting alternative method of meeting the Owner's needs as required pursuant to Rule Env-Wt 302.04, (a). Therefore, the granting of a permit for the construction of these structures would have been denied pursuant to Rule Env-Wt 302.04, (e), (2).
7. The impacts within jurisdiction on this frontage would not have been approved had they been applied for prior to construction in accordance with RSA 482-A. Therefore, in accordance with Rule Env-Wt 302.05, this request for after the fact approval has been denied.

#### MINOR IMPACT PROJECT

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2012-02712                      TESTA, JOHN  
HOLLIS   Unnamed Wetland

#### Requested Action:

Dredge 12,346 square feet of wetland to create a pond with a stone spillway to restore freshwater wetland habitat in a location that has historically been inhabited by beaver.

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#### Conservation Commission/Staff Comments:

See findings.

Inspection Date: 04/12/2013 by Eben M Lewis

#### APPROVE PERMIT:

Dredge 12,346 square feet of wetland to create a pond with a stone spillway to restore freshwater wetland habitat in a location that has historically been inhabited by beaver.

#### With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated March 30, 2012 and revised through 7/17/13 as received by the NH Department of Environmental Services (DES) on July 24, 2013.
2. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested,

prior to construction.

3. This permit is contingent upon the coordination with NH Fish and Game with respect to water temperature monitoring within the stream and various downstream locations that may be needed. Temperatures cannot negatively affect wild brook trout (*Salvelinus fontinalis*) within Witches Brook.
4. Construction in cold water fishery streams shall not occur between October 1 and May 31 to minimize impacts to the fishery resource during spawning season.
5. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
6. Construction shall be inspected daily by a qualified biologist, erosion control specialist, or professional engineer to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
7. Work shall be done during seasonal low flow conditions.
8. Erosion and siltation control measures shall be installed prior to start of work, shall be maintained, and shall remain in place during construction until all disturbed surfaces are stabilized.
9. Erosion and siltation control shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. Construction shall not cause violations of surface water quality standards, specified in Env-Ws 1700.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Dredged material to be stockpiled in uplands shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside jurisdiction to prevent water quality degradation
14. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
15. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands.
20. All trees felled along the former edge of the pond within DES jurisdiction shall be entirely removed from DES jurisdiction.
21. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
22. Subsequent monitoring reports shall be submitted to DES following the first and second growing seasons to review the success of the construction and schedule remedial actions if necessary. Such reports shall be submitted to DES with photographs demonstrating the conditions of site, include any necessary remedial actions, and contain a schedule for completing the remedial actions.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(e) Construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env-Wt 303.04(p).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The initial application included plans to construct a concrete dam to create an impoundment. The applicant revised the plans to propose dredging a pond with a spillway outlet; the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant shall not be required to submit a compensatory mitigation proposal in accordance with Env-Wt 302.03(c)(2) The project involves only construction of a pond classified as a minor or minimum impact identified in Env-Wt 303.03 or Env-Wt 303.04, or includes such work in combination with other qualifying criteria.



6. The Hollis Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. The application included a memo from the NH Natural Heritage Bureau dated 3/7/2012 (the "Memo"). The memo identified one (1) State Endangered vertebrate species, the Eastern Hognose Snake (*Heterodon platirhinos*), in the vicinity of the project.
8. On 06/26/2012, DES approved Wetlands and Non-Site Specific Permit 2012-00042 to "Impact 841 sq. ft. within the embankments and flow channel of a perennial stream for work associated with the removal of an unregistered, breached earth & wood dam per NH DES Dam Bureau LOD DSP #11-078 and bank stabilization thereafter."
9. On November 20, 2012, DES issued a 'Request for More Information' to the applicant requesting, in summary, the following: a. The project does not qualify as a minimum impact project; b. to address Env-Wt 302.04(a); c. Submit an additional filing fee; and, Contact NH Fish and Game regarding the species identified in the aforementioned Memo.
10. In response to the Memo, NH Fish and Game Nongame and Endangered Species program requested that no plastic or netted erosion control blanket be used as it is a known source of entrapment and mortality to snakes.
11. NH Fish and Game voiced concerns regarding the projects impacts to brook trout (*Salvelinus fontinalis*) habitat within Witches Brook.
12. DES Staff conducted a field inspection of the proposed project on April 12, 2013. During the inspection, the following was noted: The area where the pond is proposed has remnants of a beaver dam and evidence of beaver activity, i.e. chew mark on the trees surrounding the edge of the pond. Water marks are present on the trees surrounding the pond indicating the previous water level of the beaver pond. Several trees around the edge of the pond had been felled into the wetland and remain. The impact area is hydrologically fed by groundwater as Witches Spring is nearby to the southwest. A hill at the south side of the impact area has many areas of hillside seepage. Areas along this hill to the east of the impact area also exhibit hillside seepage. A series of braided channels are present along most of the hill at the break in slope from the hill. These channels all collect into the same perennial stream that flow towards Witches Brook from the impact area. The impact area is over 1,000 yards from the confluence of the perennial stream and Witches Brook. The perennial stream generally follows Witches Spring Road. Most of the stream appears to have been mechanically altered by ditching in the past. There are approximately 4 culvert crossings and two cascades and pool. Most of the stream has dense tree canopy cover offering ample shading to reduce water temperatures.
11. A 1906 USGS topographical map depicts a pond on the applicants property in the same location as identified in the application.
12. DES finds that this project will not adversely impact brook trout habitat, water temperature, and dissolved oxygen levels within Witches Brook. A pond has existed in this location as identified in the USGS topographical map previously mentioned. The large volume of contributing groundwater seepage to the perennial stream and dense tree canopy cover cool the stream. Furthermore, the new pond and spillway will most likely not have significant flow during dry summer conditions to impact downstream water temperatures.

## MINIMUM IMPACT PROJECT

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2009-00385                      NH DRED, DIV OF FOREST & LANDS  
ODELL Johnson Brook & Nash Bog Pond

Requested Action:

Request permit time extension.

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### APPROVE TIME EXTENSION:

Fill approximately 1,000 square feet within the bed and banks of Johnson Brook along 1,300 linear feet by incorporating trees/wood into the brook by hand (no equipment) to restore aquatic habitat for native brook trout, part of the Nash Stream Restoration Project within the Nash Stream State Forest.

With Conditions:

1. All work shall be in accordance with plans by Field Geology Services, as received by DES on March 5, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new

application and further permitting by the Bureau.

3. Work shall be done during low flow conditions.

4. Hardwood trees that are cut for in-stream wood shall be 12" dbh or less per recommendations made by NH DRED's Natural Heritage Bureau.

5. Tree placement locations within Johnson Brook shall be determined in consultation with NH Fish & Game Department's Fishery Biologists.

6. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

**With Findings:**

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.

2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

**2013-00530**

**UNION SCHOOL DISTRICT**

**KEENE Tenant Swamp**

**Requested Action:**

Approve amend to reduce the dredge and fill area to 1,000 square feet of Tenant Swamp to construct an 850 linear foot raised boardwalk and outdoor classroom at the Keene Middle School for educational use. See findings.

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**APPROVE AMENDMENT:**

Dredge and fill 1,000 square feet of Tenant Swamp to construct an 850 linear foot raised boardwalk and outdoor classroom at the Keene Middle School for educational use.

**With Conditions:**

1. All work shall be in accordance with plans by Brickstone Land Use Consultants, LLC, and dated 12/10/12, as received by the Department on February 25, 2013, and detail plans submitted by Peter S. Jensen & Associates, LLC via email on January 13, 2014, and dated December 2013.

2. Work shall be done during low flow conditions.

3. No wheeled or tracked machinery shall enter the wetland.

4. Wildlife friendly erosion control netting shall be used in place of welded plastic netting.

5. Staff on-site shall be made aware of the potential to encounter wood turtle and report sightings of wood turtle and rare reptiles to the NHFG Reptile and Amphibian Reporting Program (RAARP) online at: <http://nhwildlifesightings.unh.edu> or via email at: [RAARP@wildlife.nh.gov](mailto:RAARP@wildlife.nh.gov).

6. Sightings of wood or spotted turtles laying eggs shall be reported, for instruction, to [kim.tuttle@wildlife.nh.gov](mailto:kim.tuttle@wildlife.nh.gov) or [michael.n.marchand@wildlife.nh.gov](mailto:michael.n.marchand@wildlife.nh.gov).

7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

9. Construction shall be conducted in a manner to prevent accidental encroachment of wetlands outside of the construction area; such as the use of orange construction fencing to demark the construction area.

10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.

11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

12. All refueling of equipment shall occur outside of surface waters or wetlands.

13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

15. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

**With Findings:**

DES reaffirms the following original findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of swamp or wet meadow.
2. Board walk construction will be completed by hand and will not require the use of wheeled or tracked equipment in Tenant Swamp.
3. The boardwalk and outdoor classroom will be available to the students of the Keene Middle School, the Jonathan Daniels Elementary School and will be available to the general public for seminars and learning experiences.
4. The Natural Heritage Bureau Review report documented the presence of wood turtle in the project's vicinity.
5. Follow-up email correspondence on January 28, 2013 with the New Hampshire Department of Fish and Game (NHFG) Nongame and Endangered Species Program indicated that they do not expect direct impacts to wood turtle. NHFG also recommended: 1) Avoiding the use of welded plastic netting; and 2) That staff is made aware of the potential to encounter wood turtle and report rare reptile and turtle sightings to the NHFG Reptile and Amphibian Reporting Program (RAARP).
6. In correspondence received January 16, 2013, the New Hampshire Department of Historic Resources (DHR) stated that they determined that there are no known properties of architectural, historical, archeological, engineering or cultural significance within the project area.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

DES also makes the following additional findings:

7. An amendment request was received on January 13, 2014 to alter the boardwalk construction to allow for a lower boardwalk height to eliminate the need for guardrails along the entire board walk with the use of curbing.
8. To increase light penetration the deck board width will be reduced from 8-inches to 4-inches, deck board spacing will be increased from 1/4 inch to 3/8 to a maximum of 1/2 inches (and still meet Federal Trail Accessibility Guidelines), the supports will be changed from 8-inch piles with two (2) 2-inch x 6-inch cross supports to 2 3/8 helical anchors with a single cross support, and a radius will be created on all four sides of the deck boards.
9. The helical supports will be driven by hand with a portable hydraulic pier driver.

**2013-00670                      HAMPTON, TOWN OF  
HAMPTON Unnamed Tidal Wetland**

**Requested Action:**

Follow-up application to an emergency authorization issued by DES on March 3, 2013 to replace failed culverts beneath Cusack Road.

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**CONFIRM EMERGENCY AUTHORIZATION:**

Follow-up application to an emergency authorization issued by DES on March 3, 2013 to replace failed culverts beneath Cusack Road.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (x) Maintenance, repair, or replacement of a

- nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The project was necessary to replace failed culverts beneath Cusack Road.
  3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on March 18, 2013.
  4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2014-00313                      NUDD, DAVID/THOMAS**  
**HAMPTON   Nudds Canal**

**Requested Action:**

Replace six (6) existing damaged pilings in the same location to provide continued safe use by local commercial fishing vessels at Nudd's Landing.

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**Conservation Commission/Staff Comments:**

"The [Hampton] Conservation Commission does not oppose the granting of this ... permit"

**APPROVE PERMIT:**

Replace six (6) existing damaged pilings in the same location to provide continued safe use by local commercial fishing vessels at Nudd's Landing.

**With Conditions:**

1. All work shall be in accordance with plans by Justin Nudd dated 1/13/14, as received by the NH Department of Environmental Services (DES) on February 05, 2014.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. This permit does not allow dredging for any purpose.
5. Work shall be done during periods of low tide.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact and (v) maintenance, repair and replacement in-kind of existing ... tie-off pilings.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**FORESTRY NOTIFICATION**

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**2014-00598                      BAKER FAMILY IRREVOCABLE TRUST**  
**ORFORD   Unnamed Stream**

**COMPLETE NOTIFICATION:**

Orford, Tax Map #8, Lot #31, 46, 47

**2014-00602                      HEIRS, TWITCHELL**  
**ERROL    Unnamed Stream**

COMPLETE NOTIFICATION:  
Errol, Tax Map #R11, Lot #28

**2014-00612                      HICKSON, MAIKE/ROBERT**  
**RICHMOND    Unnamed Stream**

COMPLETE NOTIFICATION:  
Richmond, Tax Map #412, Lot #18

#### **EXPEDITED MINIMUM**

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**2014-00158                      VT TRANSCO**  
**MONROE    Unnamed Wetland**

**Requested Action:**

Dredge and fill 1,800 square feet of emergent wetland to improve safety and reliability of an existing utility line. Work is jurisdiction includes excavating 1,500 square feet and 300 square feet of temporary impacts for access (swamp mats).

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**Conservation Commission/Staff Comments:**

1/16/14 Per DHR, no historic properties affected.

**APPROVE PERMIT:**

Dredge and fill 1,800 square feet of emergent wetland to improve safety and reliability of an existing utility line. Work is jurisdiction includes excavating 1,500 square feet and 300 square feet of temporary impacts for access (swamp mats).

**With Conditions:**

1. All work shall be in accordance with plans by VT Transco entitled Resource Map: F206 Line dated March 2014 as received by DES on March 07, 2014.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. The permittee shall use best management practice to minimize the likelihood of introducing invasive plants, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*), into new areas.
4. Prior to the installation swamp mats shall be inspected for and removed of all vegetative matter.
5. Equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils. Swamp mats shall be removed immediately upon completion of work in a particular area so as not to result in permanent impacts.
6. Area of temporary impact shall be regraded to original contours following completion of work.
7. Mulch within the restoration area shall be straw.
8. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with

manufacturers specifications.

9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The ground clearance of the existing utility structures was found to be insufficient for safety and reliability. It is not practical to raise the existing structures due to other existing transmission lines that cross over.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. An Environmental Inspector will be present, during the proposed excavation, to ensure compliance with applicable permits.
7. The wetland top soil will be segregated so it can be replaced in the wetland following the excavation.
8. The work is not expected to have adverse effects on wetlands located upstream or downstream of the proposed work area.
9. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
10. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2014-00473                      DICKEY, RICHARD**  
**TUFTONBORO   Melvin River**

Requested Action:

Repair "in kind" an existing 14 ft. 6 in. x 30 ft. crib supported boathouse in the Melvin River, Lake Winnepesaukee, Tuftonborough.

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Conservation Commission/Staff Comments:

Con Com signed Wetlands application

APPROVE PERMIT:

Repair "in kind" an existing 14 ft. 6 in. x 30 ft. crib supported boathouse in the Melvin River, Lake Winnepesaukee, Tuftonborough.

With Conditions:

1. All work shall be in accordance with plans, as received by the NH Department of Environmental Services (DES) on February 24, 2014.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.

3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**GOLD DREDGE**

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**2014-00574                      SANDS, JONATHAN**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath Con Com

**2014-00586                      BRAGDON, HARRY**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath Con Com

**2014-00588                      SALTER, ROBERT**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath Con Com

**2014-00589                      HOOVER, WILLIAM**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath Con Com

**2014-00590                      STONE, TRACY**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath Con Com

**2014-00591                      CHABOT, GEORGE**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath Con Com

**2014-00597                      RIAN, CARL**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath Con Com

**LAKES-SEASONAL DOCK NOTIF**

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**2014-00593                      CONNORS JR, JAMES**  
**WOLFEBORO   Crescent Lake**

Requested Action:  
Installation of a seasonal docking structure.  
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COMPLETE NOTIFICATION:  
Installation of a seasonal docking structure.

**2014-00594                      ORR, JOHN**  
**STRAFFORD   Bow Lake**

Requested Action:  
Disqualified , previously permitted 2009-00921  
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DISQUALIFY TRAIL/FORESTRY/DOCK NOTIFICTN:  
Disqualified , previously permitted 2009-00921

**2014-00595                      HALLEE, MICHELLE**  
**ACWORTH   Crescent Lake**



Requested Action:

Installation of a seasonal docking structure.

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COMPLETE NOTIFICATION:

Installation of a seasonal docking structure.

**ROADWAY MAINTENANCE NOTIF**

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**2014-00614                      AMHERST, TOWN OF**  
**AMHERST   Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 39 lf of 12" culvert with 40 lf of 18".

**2014-00618                      AMHERST, TOWN OF**  
**AMHERST   Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 30 lf of existing 15" culvert.

**PERMIT BY NOTIFICATION**

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**2014-00573                      STACY, LYDIA**  
**NORTHWOOD   Northwood Lake**

Requested Action:

Repair or replacement of existing 28 linear feet of retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans received March 13, 2014.

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Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair or replacement of existing 28 linear feet of retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration in accordance with plans received March 13, 2014.

**2014-00585                      DEFELICE, GEORGE**  
**TUFTONBORO   Lake Winnepesaukee**

**Requested Action:**

Permanently remove a 6 ft. x 30 ft. permanent dock and install a 6 ft. x 40 ft. seasonal dock with two PWC lifts on Lake Winnepesaukee, Tuftonborough.

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**PBN IS COMPLETE:**

Permanently remove a 6 ft. x 30 ft. permanent dock and install a 6 ft. x 40 ft. seasonal dock with two PWC lifts on Lake Winnepesaukee, Tuftonborough.

**CSPA PERMIT**

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**2009-00457                      SNOWFLAKE REAL ESTATE TRUST, DANIEL PRAWDZIK**  
**NELSON   Lake Nubanusit**

**Requested Action:**

Request permit time extension.

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**APPROVE TIME EXTENSION:**

Impact 1435 sq. ft. to construct a 10' wide gravel connecting road with a 36" culvert and a recreational turnaround.

**With Conditions:**

1. All work shall be in accordance with plans by Sharon Monahan dated March 12, 2009 and received by the Department of Environmental Services ("DES") on April 9, 2009.
2. All proposed impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
4. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No more than 8.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. The project as proposed will leave approximately 21,100 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,268 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**With Findings:**

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.

2. This permit has been extended in accordance with RSA 483-B:5-b, VI and Env-Wq 1406.19.

**2013-01432                      LANDRY, SCOTT/TRACY**  
**GOFFSTOWN   Piscataquog River**

**Requested Action:**

The Applicant requests to retain 480 sq. ft. of impact associated with the construction of a 16 ft. x 16 ft. deck with a permanent roof located predominantly in the bank, a retaining wall, and fill placed to terrace the waterfront.

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**Conservation Commission/Staff Comments:**

3/5/2014. Con. Com. letter dated 3/4/14 recommends that the State consider appropriate mitigation because it is an after-the-fact permit.

**DENY AFTER THE FACT:**

The Applicant requests to retain 480 sq. ft. of impact associated with the construction of a 16 ft. x 16 ft. deck with a permanent roof located predominantly in the bank, a retaining wall, and fill placed to terrace the waterfront.

**With Findings:**

1. In accordance with 483-B:3, Consistency Required, I, all state agencies shall perform their responsibilities in a manner consistent with the intent of the Shoreland Protection Act. State and local permits for work within the protected shorelands shall be issued only when consistent with the policies of this chapter.
2. In accordance with RSA 483-B:4, Definitions, II, "Accessory structure" means a structure, as defined in paragraph XXII of this section, on the same lot and customarily incidental and subordinate to the primary structure, as defined in paragraph XIV of this section; or a use, including but not limited to paths, driveways, patios, any other improved surface, pump houses, gazebos, woodsheds, garages, or other outbuildings.
3. In accordance with RSA 483-B:4, Definitions, XXII. "Structure" means anything constructed or erected for the support, shelter or enclosure of persons, animals, goods, or property of any kind, with a fixed permanent location on or in the ground, exclusive of fences.
4. In accordance with RSA 483-B:4, Definitions, XIV. "Primary structure" means a structure as defined in paragraph XXII of this section that is central to the fundamental use of the property and is not accessory to the use of another structure on the same premises.
5. Pursuant to Rule Env-Wq 1405.03, Limitations on Accessory Structures within the Waterfront Buffer, (c), (1), accessory structures located between the reference line and the primary building line shall be no larger than 1.5 square feet per linear foot of shoreline;
6. Pursuant to Rule Env-Wq 1405.03, Limitations on Accessory Structures within the Waterfront Buffer, (d) The construction of the accessory structure shall not violate the point score requirement of RSA 483-B:9, V(a)(2).
7. Pursuant to Rule Env-Wq 1405.04, Setback for Accessory Structures, all accessory structures built after November 26, 1996 shall be set back at least 20 feet from the reference line, unless otherwise approved by the department in accordance with RSA 482-A and rules adopted pursuant thereto.

**Findings of Fact**

1. On June 5, 2013, the Department notified the Owner of the property identified as Lot 83 on Goffstown Tax Map 21, (the Property) that the Department had received a complaint pertaining to the construction of structures in and adjacent to the Piscataquog River in Goffstown.
2. The Piscataquog River is protected under RSA 483-B and therefore any approval issued for excavation, fill, or the construction of structures on portion of the property located within 250 of the ordinary high water line of the river must comply with the requirements of RSA 483-B and Chapter Env-Wt 1400.
3. On February 3, 2014 the Department received an application, filed on behalf of the Owner, requesting to retain 480 sq. ft. of impact associated with the construction of a 16 ft. x 16 ft. deck with a permanent roof (the "covered deck") located predominantly in

the bank, a retaining wall, and fill placed to terrace the waterfront which had occurred on the frontage without permits.

4. In addition to these structures, a 16 ft. x 14.5 ft. concrete patio, a 16 ft. x 11.5 ft. set of concrete stairs, a 10 ft. wide concrete boat launch, and a 16 ft. x 12 ft. deck exist within protected shorelands on this frontage.

5. Plans submitted with the application indicate that the 16 ft. x 14.5 ft. concrete patio, a 16 ft. x 11.5 ft. set of concrete stairs, and a 10 ft. wide concrete boat launch currently existing on the frontage are "Grandfathered Impacts."

6. The application materials state that the concrete patio, stairs, dock and rip-rap previously existed on the property and that there had been a need to stabilize the shoreline.

7. The application materials further indicate that a primary reason for the construction and expansion of structures was to provide more level recreational space along the waterfront.

8. Aerial photography completed in 2005 shows that in 2005 only the boat ramp and a single seasonal pier existed in the frontage. The area now occupied by the 16 ft. x 14.5 ft. concrete patio and 16 ft. x 11.5 ft. set of concrete stairs was vegetated. The concrete boat launch did not appear to extend as far into the Piscataquog River as it does currently.

9. The deed to the property submitted with the application, shows that the Owner purchased the property in October 2005.

10. The information available to the Department shows that the concrete patio and stairs are not "grandfathered" and were constructed after the Owner took possession of the property.

10. The Owner has provided no evidence that the concrete patio and stairs were present on the frontage at the time the property was purchased in 2005 to rebut the Department's evidence, in the form of aerial photos, that the structures were not present prior to the Owner's purchase of the property.

12. The Owner has provided no evidence of erosion or instability along this portion of the shoreline that would have justified the construction of the concrete structures to stabilize the shoreline.

13. The concrete patio, stairs, 16 ft. x 12 ft. deck, and 16 ft. x 16 ft. covered deck are all accessory structures as defined in RSA 483-B:4, II.

14. The concrete patio, stairs, 16 ft. x 12 ft. deck, and 16 ft. x 16 ft. covered deck are all located within 20 ft. of the ordinary high waterline and fail to meet Rule Env-Wq 1405.04.

15. The total area of the waterfront buffer occupied by the concrete patio, stairs, 16 ft. x 12 ft. deck, and 16 ft. x 16 ft. covered deck exceeds that allowed under Rule Env-Wq 1405.03, (c), (1).

#### Rulings in Support of the Decision

1. None of the structures currently existing on the frontage are compliant with RSA 483-B.

2. The structures currently existing on the frontage also fail to comply with RSA 482-A.

3. The concrete patio, stairs, 16 ft. x 12 ft. deck, and 16 ft. x 16 ft. covered deck fail to comply with Rule Env-Wq 1405.03, (c), (1), limiting the size of accessory structures, and Rule Env-Wq 1405.04, establishing a setback for accessory structures. Therefore, the granting of a permit for the construction of these structures would have been prohibited by RSA 483-B:3, Consistency Required, I and II.

4. The Owner has failed to provide evidence that the construction of the accessory structures did not violate the point score requirement of RSA 483-B:9, V(a)(2), as required pursuant to Rule Env-Wq 1405.03, (d). Therefore, the granting of a permit for the construction of these structures would have been prohibited by RSA 483-B:3, Consistency Required, I and II.

5. The impacts within jurisdiction on this frontage would not have been approved had they been applied for prior to construction. Therefore, this request for after the fact approval has been denied.

2013-03043

CUCCHI, JOHN

HARRISVILLE Skatutakee Lake

#### Requested Action:

Retain 1,200 sq ft of impacts for the grading of a driveway in order to reduce the slope and prevent erosion.

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#### APPROVE AFTER THE FACT:

Retain 1,200 sq ft of impacts for the grading of a driveway in order to reduce the slope and prevent erosion.

With Conditions:

1. Impacts on this property shall be maintained as shown on the as-built plans by John Cucchi received by Department of Environmental Services (DES) on February 25, 2014.
1. Grading work on this property shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
2. All future activities on this property shall be conducted in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner shall be responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**2014-00386 GRAY, JENNIFER**  
**NEW CASTLE Piscataqua River**

Requested Action:

Impact 9,500 sq ft in order to demolish and replace structure on 85 Piscataqua Street; partially demolish and replace structure on 87 Piscataqua; improve utilities and associated structures.

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APPROVE PERMIT:

Impact 9,500 sq ft in order to demolish and replace structure on 85 Piscataqua Street; partially demolish and replace structure on 87 Piscataqua; improve utilities and associated structures.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. January 29, 2014 dated February 10, 2014 and received by the NH Department of Environmental Services (DES) on February 10, 2014.
2. No more than 29.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2014-00439 REXBO REALTY INC**  
**LEBANON Mascoma River**

Requested Action:

Impact 9,937 sq ft in order to remove gas tanks, canopy, and add 16 parking places.

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APPROVE PERMIT:

Impact 9,937 sq ft in order to remove gas tanks, canopy, and add 16 parking places.

With Conditions:

1. All work shall be in accordance with plans by Advanced Geomatics & Design dated December 9, 2013 and received by the NH Department of Environmental Services (DES) on February 18, 2014.
2. No more than 48.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1,200 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2014-00446 SMITH, GARY/TONI**  
**LEE Wheelwright Pond**

**Requested Action:**

Impact 6,545 sq ft in order to replace existing seasonal cottage with a new seasonal cottage in the same footprint; add advanced treatment wastewater disposal system and well.

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**APPROVE PERMIT:**

Impact 6,545 sq ft in order to replace existing seasonal cottage with a new seasonal cottage in the same footprint; add advanced treatment wastewater disposal system and well.

**With Conditions:**

1. All work shall be in accordance with plans by Faretra Septic Designs, LLC dated February 18, 2014 and received by the NH Department of Environmental Services (DES) on March 6, 2014.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 8.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,283 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2014-00490 PLYMOUTH STATE UNIVERSITY**  
**HOLDERNESS Pemigewasset River**

**Requested Action:**

Impact 137,577 sq ft in order to re-developed existing athletic fields and Physical Education Center. The proposal includes the installation of a stormwater treatment pond.

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**APPROVE PERMIT:**

Impact 137,577 sq ft in order to re-developed existing athletic fields and Physical Education Center. The proposal includes the installation of a stormwater treatment pond.

**With Conditions:**

1. All work shall be in accordance with plans by Rist-Frost Shumway Engineering, P.C. dated February 18, 2014 and received by the NH Department of Environmental Services (DES) on February 24, 2014.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. No more than 19.23% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Silt fencing must be removed once the area is stabilized.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

2014-00497

**TRAHAN, BARBARA LEE/SCOTT**

**BELMONT Winnisquam Lake**

**Requested Action:**

Impact 5,662 sq. ft. in order to replace the existing structure with a new structure, deck, and garage, and to expand the driveway using pervious pavers.

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**DENY PERMIT:**

Impact 5,662 sq. ft. in order to replace the existing structure with a new structure, deck, and garage, and to expand the driveway using pervious pavers.

**With Findings:**

**Standards for Approval**

1. Pursuant to RSA 483-B:3, Consistency Required, "State and local permits shall be issued only when consistent with the policies of this chapter."

2. Pursuant to RSA 483-B:9, V, a, 1, "The waterfront buffer shall be those protected shorelands within 50 feet of the reference line. The purpose of this buffer shall be to protect the quality of public waters while allowing homeowner discretion with regard to water access, safety, viewscape maintenance, and lot design."
3. Pursuant to RSA 483-B:4, XI, d, "'Nonconforming structure' means a structure that, either individually or when viewed in combination with other structures on the property, does not conform to the provisions of this chapter, including but not limited to the impervious surface limits of RSA 483-B:9, V, g."
4. Pursuant to RSA 483-B:11, I, "Alteration or expansion of a nonconforming structure may expand the existing footprint within the waterfront buffer, provided the structure is not extended closer to the reference line and the proposal or property is made more nearly conforming than the existing conditions on the property."
5. Pursuant to RSA 483-B:11, II, "A proposal that is 'more nearly conforming' means alteration of the location or size of the existing footprints, or redevelopment of the existing conditions of the property, such that the structures or the property are brought into greater conformity with the design standards of this chapter. Methods for achieving greater conformity include, without limitation, reducing the overall square footage of structural footprints, enhancing stormwater management, adding infiltration areas and landscaping."
6. Pursuant to RSA 483-B:9, V, g, 1, "No more than 30 percent of the area of the lot located within the protected shoreland shall be composed of impervious surfaces, unless a stormwater management system designed and certified by a professional engineer is implemented."
7. Pursuant to RSA 483-B:9, V, g, 3, "If the impervious surface area will exceed 30 percent and the tree, sapling, shrub, and groundcover in the waterfront buffer does not meet the point score requirement of RSA 483-B:9, V, a, 2, D, in any segment, then such segment shall be planted, as determined by the rule of the department, with trees, saplings, shrubs, or groundcover in sufficient quantity, type, and location either to meet the minimum score or to provide at least an equivalent level of protection as provided by the minimum score and shall be maintained in accordance with RSA 483-B:9, V, a."

#### Finding of Fact

1. The Applicant is the owner of a lot that is approximately 0.11 acres in size located within the protected shoreland of Winnisquam Lake more particularly identified as Belmont tax map 107, lot 12 (the "Property").
2. On February 25, 2014 the Department of Environmental Services received an application to impact 5,662 sq. ft. of protected shorelands in order to replace the existing structure with a new structure, deck, and garage, and to expand the driveway using pervious pavers.
3. The existing primary structure is located within the waterfront buffer and is considered a non-conforming structure as per RSA 483-B:4, XI, d, and RSA 483-B:9, II, b.
4. The Applicant's proposed impacts result in a post-construction impervious area covering 31 percent of the lot within 250 feet of the reference line.
5. The proposed stormwater management system included in the plan is required under RSA 483-B:9, V, g, 1, because the Applicant is proposing to increase the impervious surface area to more than 30%.
6. The replanting of the waterfront buffer to meet the minimum vegetation standards is also required pursuant to 483-B:9, V, g, 3, because the Applicant is proposing to increase the impervious surface area to more than 30%.
7. The application does not include plans showing the replanting of the waterfront buffer.

#### Ruling in Support of the Decision

1. The implementation of a stormwater management plan is required for any project that increases the impervious surface area such that it will be more than 30 percent. The proposed stormwater management plan is required in order to consider the proposed expansion to be in conformance with the statute. It does not in any way make the existing non-conforming structures, which have not covered more than 30 percent of the lot, more nearly conforming to the design standards of this chapter than the pre-existing conditions.
2. The Applicant has failed to provide for the replanting of the waterfront buffer as required pursuant to 483-B:9, V, g, 3, therefore the project as proposed fails to comply with the design standards of RSA 483-B.
3. The issuance of a permit to replace the existing structure with the requested structures, resulting in 31 percent impervious cover, would not be consistent with the intent and purpose of the RSA 483-B and, therefore, is prohibited by RSA 483-B:3, "Consistency Required."



## CSPA PERMIT W/WAIVER

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**2013-03042                      EA2 LLC**  
**NEWINGTON   Piscataqua River**

### Requested Action:

Impact 15,870 sq ft in order to construct a marine contractor facility with driveway and parking area. A separate application is has been submitted for the proposal of a docking structure and other impacts within the 100 ft tidal area.

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### APPROVE PERMIT:

Impact 15,870 sq ft in order to construct a marine contractor facility with driveway and parking area. A separate application is has been submitted for the proposal of a docking structure and other impacts within the 100 ft tidal area.

### With Conditions:

1. All work shall be in accordance with revised plans by Tighe & Bond Consulting Engineers dated January 31, 2014 and received by the NH Department of Environmental Services (DES) on February 24, 2014.
2. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
3. No more than 29.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. At least 4,810 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

## UTILITY NOTIFICATION

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**2014-00625                      PSNH**  
**CENTER HARBOR   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 14-0002 for fee amount.

COMPLETE NOTIFICATION:  
Replace 30 lf of existing 15" culvert.

**2014-00626**                      **PSNH**  
**EPPING**   **Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 2014-0002 for fee amount.

COMPLETE NOTIFICATION:  
Mechanical mowing on the 377 line.

**2014-00627**                      **PSNH**  
**HOLLIS**   **Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 2014-00002 for fee amount.

COMPLETE NOTIFICATION:  
Mechanical mowing on the 3217 line.

**2014-00628**                      **PSNH**  
**MEREDITH**   **Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 2014-0002 for fee amount.

COMPLETE NOTIFICATION:  
1. Mechanical mowing on the 338 line.  
2. Mechanical mowing on the 344 line.

**2014-00630**                      **PSNH**  
**PLYMOUTH**   **Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 2014-00002 for fee amount.

COMPLETE NOTIFICATION:  
1. Mechanical mowing on the 342A line.

**2014-00631**                      **PSNH**  
**RUMNEY**   **Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 2014=00002 for fee amount.

COMPLETE NOTIFICATION:

1. Mechanical mowing on the 343 line.

**EMERGENCY AUTHORIZATION**

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**2011-02195                      UNITY, TOWN OF**  
**UNITY   Little Sugar River**

Requested Action:

EMERGENCY AUTHORIZATION ISSUED 09/02/2011 - Repair failed abutment riprap at the Stage Rd. and Quaker Rd. Little Sugar River bridges.

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CONFIRM EMERGENCY AUTHORIZATION:

EMERGENCY AUTHORIZATION ISSUED 09/02/2011 - Repair failed abutment riprap at the Stage Rd. and Quaker Rd. Little Sugar River bridges.

With Findings:

1. The project was necessary to prevent damage to the Quaker Rd. and Stage Rd. bridges.
2. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on 09/02/2011.
3. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2011-02197                      GOODRICH, PETER/VICKI**  
**LEBANON**

Requested Action:

Confirm Emergency Authorization issued on 09/02/2011 to repair a failed driveway stream crossing, including the installation of twin 24-inch HDPE culverts.

\*\*\*\*\*

CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization issued on 09/02/2011 to repair a failed driveway stream crossing, including the installation of twin 24-inch HDPE culverts.

With Findings:

1. This project is classified as a minimum impact project per Env-Wt 303.04(x), Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall.
2. The project was necessary to repair failed culverts to allow access to the property owner's residence.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on 09/02/2011.
4. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2013-01164**  
**AMHERST**

**PSNH**

**Requested Action:**

Temporarily impact 25 sq. feet. of jurisdictional area for the in-kind replacement of one (1) existing utility pole (pole#99/22-1) to provide uninterrupted electrical service.

\*\*\*\*\*

**CONFIRM EMERGENCY AUTHORIZATION:**

Temporarily impact 25 sq. feet. of jurisdictional area for the in-kind replacement of one (1) existing utility pole (pole#99/22-1) to provide uninterrupted electrical service.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(af) Temporary impacts associated with the inspection, maintenance, and repair of existing utility lines within an existing utility right of way provided
2. The project was necessary for the in-kind replacement an existing utility pole.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 8, 2013.
4. Review of the information submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2013-01960**  
**SURRY**

**BUBOIS, KRISTEN**

**Requested Action:**

Confirm Emergency Authorization issued on 07/23/2013 to repair an undermined abutment, replace riprap and remove approximately 150 feet (10 to 15 feet wide) of deposited stone. See related Wetlands Bureau file no. 2005-02538.

\*\*\*\*\*

**CONFIRM EMERGENCY AUTHORIZATION:**

Emergency Authorization issued on 07/23/2013 to repair an undermined abutment, replace riprap and remove approximately 150 feet (10 to 15 feet wide) of deposited stone. See related Wetlands Bureau file no. 2005-02538.

**With Findings:**

1. The project was necessary to prevent damage to the driveway bridge, which is the sole access to the property owner's residence.
2. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on July 23, 2013.
3. DES Wetlands Bureau Staff inspected the site on July 25, 2013, and September 26, 2013.
4. Review of the application submitted pursuant to the emergency authorization indicates that work has been completed in accordance with the emergency authorization.